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11 Attorneys for Plaintiff  
12 ENRICO GARGALE  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ENRICO GARGALE,

Case No. CV-08-3167 JF

Plaintiff,

**STIPULATION FOR DISMISSAL WITH  
PREJUDICE PURSUANT TO  
SETTLEMENT AGREEMENT**

v.  
FORTINET, INC., a Delaware Corporation,  
and DOES 1 through 50, inclusive,

CMC Date: July 10, 2009

Defendants.

Before: Hon. Jeremy Fogel

Plaintiff Enrico Gargale and defendant Fortinet, Inc., hereby submit this stipulation to dismiss this case with prejudice.

WHEREAS, plaintiff filed his complaint on July 1, 2008;

WHEREAS, the parties settled this dispute at mediation on April 20, 2009;

WHEREAS, defendant Fortinet Inc.'s Board of Directors accepted the proposed settlement within 60 days of the April 20, 2009 mediation and settlement as set forth in the agreement;

WHEREAS, the parties have complied with all obligations imposed by the settlement agreement and, therefore, are prepared to agree to a dismissal with prejudice of this matter;

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STIP. & [PROPOSED] ORDER FOR DISMISSAL  
WITH PREJUDICE  
CASE NO. CV-08-3167 JF

1 IT IS HEREBY STIPULATED by and between the parties through their undersigned  
2 counsel of record that this action shall be dismissed in its entirety with prejudice.

3 Dated: July 6, 2009

4 ARCHER NORRIS  
5 2033 North Main Street  
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7 /s/ Michael C. Osborne

8 Michael C. Osborne  
Chad D. Greeson  
9 Attorneys for Plaintiff  
ENRICO GARGALE

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12 Dated: July 6, 2009

13 WILSON SONSINI GOODRICH & ROSATI  
Professional Corp.  
14 650 Page Mill Road  
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Telephone: (650) 493-9300  
Facsimile: (650) 565-5100

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17 /s/ Terry T. Johnson

18 Terry T. Johnson

19 Attorneys for Defendant  
Fortinet, Inc.

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21 ORDER

22 Based upon the above stipulation of the parties, IT IS HEREBY ORDERED that the case  
23 is dismissed in its entirety with prejudice.

24 Dated: July 8, 2009

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Hon. Jeremy Fogel  
United States District Judge

1                   **ATTESTATION PURSUANT TO GENERAL ORDER 45**

2                   I, Michael C. Osborne attest that concurrence in the filing of this document has been  
3 obtained from each of the signatories. I further declare under penalty of perjury under the laws of  
4 the United States of America that the foregoing is true and correct. Executed this 6th day of July,  
5 2009 at Walnut Creek, California.

6                   Dated: July 6, 2009

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Michael C. Osborne  
Chad D. Greeson  
Attorneys for Plaintiff  
ENRICO GARGALE

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